

### DRAFT BOARD MEETING MINUTES

OF THE

#### SOUTHWESTERN TRAVIS COUNTY GROUNDWATER CONSERVATION DISTRICT

#### **Via Telephone Conference**

In accordance with the order of the Office of the Governor issued March 16, 2020, the SWTCGCD Board of Directors conducted the June Board Meeting as a remote access only meeting in order to advance the public health goal of limiting face-to-face meetings (also called "social distancing") to slow the spread of the Coronavirus (COVID-19). The meeting was open to the public and instructions for accessing the conference call were provided with the Notice of Meeting

#### Wednesday, May 12, 2021 at 9:00 am

#### 1. Call to order, declare meeting open to the public, take roll and declare quorum status

Director and Board President Scadden called the meeting of the Southwestern Travis County Groundwater Conservation District (SWTCGCD or District) Board of Directors to order at 9:00 AM on Wednesday May 12, 2021. Four District Directors were present on the conference call constituting a quorum, including Directors Davis, Dower, Urie, and Scadden. Director Hennings and Director Hunt joined the meeting after the roll call and Director Van Ackeren was absent. Also present were General Manager Sawin, Kirk Holland, General Counsel Embrey and Cole Ruiz with Lloyd Gosselink, Lane Cockrell, Virginia Smith, Christy Muse, Thomas Griffith, Christy Laughlin (TWDB) and Pete Golde.

#### 2. Public comments

Director Scadden called for public comments and there were no comments.

# Agenda item <u>6. Discuss and possibly act on matters related to implementing District Rules, including review of possible future Rules changes</u> was now taken up out of order

Director Scadden said the District's attorneys requested that this item be taken up early because they have another commitment later and will have to leave the meeting. He asked General Manager Sawin to review the proposed Rules changes. General Manager Sawin presented a mark-up of the proposed rule changes beginning with the change to well spacing requirements. She said this change was requested by several well drillers as well as current and potential property owners in the District. She said the District Staff and General Counsel have been working on this "small lot" issue for several months and she asked The District General Counsel to explain the proposed changes that resulted from this effort. Attorney Ruiz explained that these changes are intended to address the problem the current well spacing requirements present for small tracts, sometimes making it impossible for the owner to locate and drill a well on their property. He explained that the draft changes would default to the Texas Department of Licensing and Registration (TDLR) well



spacing rules as specified in Texas Administrative Code (TAC) Chapter 76. He explained that the TDLR alternative rules are the least onerous of the well spacing rules and it is being offered as a base starting point. If the Board has different thoughts, they can certainly offer those up for discussion.

Director Scadden acknowledged that Director Dower has spent a lot of time on this issue, and he asked if Director Dower would like to start the discussion. Director Dower said the basic question is should we start off with a 100 ft. of setback even though we are proposing alternatives that may allow the spacing to go all the way down to 5 ft. He asked if Mr. Cockrell or Mr. Holland could explain the basis for the 100 ft. spacing requirement when every other rule he has looked at, including the State rule, starts off with 50 ft. Mr. Holland explained that the 100 ft. requirement with relaxation to 50 ft. with certain well pressure grouting requirements, came from two GCDs and GMA 9. This approach, he said, is a common GCD requirement and with the second alternative we are now proposing which will allow a 5 ft. clearance to the property line, the 100 ft. requirement with the 50 ft. alternative does not seem to be a problem. Mr. Holland asked If you reduced the setback to 50 ft. would all of those wells need to be pressure grouted for the top 100 ft. of annular space. Director Dower replied no not at all. Mr. Holland reiterated that he though the setback requirement should be kept at 100 ft. to protect the well from contamination from adjacent properties. Director Dower asked if this is even though the State and our three surrounding GCDs do not require that?

Director Hunt said he thought Director Dower was trying to get to the intent of the 100 ft. setback, and he explained it is trying to get some extra protection for cases you don't have any control of on the other side of a fence whether it's well interference from a neighboring well or contamination from a neighboring septic field. He said that was the intent and with this second alternative we are being reasonable by starting off conservatively but providing relief if somebody really needs it. He pointed out that, as Attorney Ruiz said, the State really provided the lowest bar possible, and we can step it up a little bit and that was the intent.

Director Dower said that is a good intent but as Board members we need to be able to answer the question - why is the setback requirement 100 ft. in our District when in an adjacent GCD it is 50 ft.? He asked what he should say when he is asked that question. Director Hunt reiterated that the District's intent is to be protective of both the well owner who is installing a well and adjacent well owners and there is a provision now to encroach on the setback if it is a problem for a small lot. Director Scadden asked if any well owner can encroach on the 100 ft. setback by pressure grouting their well, it does not have to be a small lot. Director Dower agreed and said, with grouting you can go as little as 5 ft. Attorney Ruiz also agreed saying that the rule as written does not require any reason to be given. Director Scadden then said that these alternative spacing criteria could be beneficial to many well owners in various situations and not just small lots. It provides the protection we are looking for and some flexibility for the property owners.

Director Scadden then asked if any other Directors had any comments. Director Hennings said that Director Hunt's argument regarding the intent of the setback requirements makes sense to her and she agrees with him. Directors Urie and Davis said they had not yet formed an opinion with Director Davis adding that she didn't see what else we can do for small lots.



Director Scadden then asked if there were any comments from the public. Christy Laughlin said that she owns a one third acre lot and, although she is not planning to put a well on it, if she did it would require using the 50 ft. setback because it is a long narrow lot only 80 ft. wide and she feels that upgrading well grouting is a reasonable approach to protect water quality. Mr. Cockrell said he wanted to acknowledge Director Dower's concern that the District is requiring more restrictive setbacks than the State and neighboring districts. He then said he wanted to emphasize that, as Director Hunt had explained, the State requirements are really an absolute minimum and we have a responsibility to mitigate potential risk. He said he felt that allowing additional encroachment with additional pressure grouting makes good sense as a mechanism to accommodate these small lots. Mr. Griffith asked if any consideration had been given to requiring a survey when a well is located as close as 5 ft. to the property line due to potential inaccuracy in locating a well in the field. Director Hunt said he would rather see the applicant be advised to consider a survey in such cases rather than requiring it. Director Scadden suggested that this is a good topic for future discussion, and he asked Mr. Cockrell to try to get an estimate of what such a survey would cost.

Director Scadden said that it appears there is support from all Directors for the general ideas of grouting, but a bit of a difference regarding 50 ft. or 100 ft. being the baseline setback. He then asked for a motion or further discussion on deciding that question. General Counsel Embrey advised that the path forward is for the Board to adopt the proposed language for this change and then the staff will have to post a notice for a rulemaking hearing 20 days in advance of the hearing and the proposed language of the Rule change will have to be made available to the public 20 days in advance of the hearing. General Counsel Embrey and Mr. Holland pointed out that the final language can be changed at the public hearing based on public comments or Director comments. Mr. Holland suggested that in the meantime before the hearing further research of what other GCDs and TLDR require at less than 100 ft. and less than 50 ft. could be done and the findings could be useful during the rulemaking process.

Director Scadden asked where the earlier language went that stipulated a depth of well grouting based on the amount of encroachment on the baseline setback. Director Hunt said that language came from BSEACD language regarding variances and Counsel has Warned us against allowing variances and he asked General Counsel Embrey to discuss further. General Counsel Embrey said they were trying to get proposed language to the Board for consideration and what we are discussing now is what they developed. He said that language Director Scadden is talking about was not intentionally left out for any specific reason and could be proposed by anyone. Director Scadden said he would like to see that language added to the proposed rule change. A discussion of the suggested language ensued, and Director Hunt suggested that such a formula for relief from setback requirements based on the amount of grouting ought to also apply to other setbacks such as from septic tanks and fields if our setbacks for those situations are more restrictive than TDLR. He also suggested consideration of some of the words that Lane had proposed referring to the aquifer test regarding spacing between permitted wells. Director Scadden asked General Counsel Embrey and Attorney Ruiz if they made a conscious decision to require 100 ft. of pressure grouting rather than a formula based on setback reduction because it was more protective of the aquifer and more straight forward? Attorney Ruiz said the original rules required the pressure grouting and was nothing conscious in it except that we were trying to find a way to point to a set of rules that have established precedent at TDLR and this was the simplest way of doing that. He said they left the 100 ft. minimum distance in as a point of discussion because they knew the Board wanted



to have a discussion. General Counsel Embrey commented that they are trying to find safe harbor language and we knew TDLR had this language out there and it is our inclination to go with previously established language that everybody across the State deals with.

Director Scadden said we need to have proposed language for this Rule change to move forward with public notice and he asked if the Board members were ready to move forward and what they would like to propose. A discussion of the proposed Rule change language ensued with Director Dower reviewing the currently proposed Rule changes and suggesting that just referencing the TDLR rules would be simpler and would address the small lot issues. Director Hunt commented that the TDLR rules would address the small lot issues and it is just a question of whether the Board wants to step it up, or not. Director Hennings pointed out that would allow anyone to use the minimum TDLR standards even on large lots. Director Dower said he was concerned that interpreting the small lot alternative rules would put a burden on the District staff. Director Scadden opined that the staff will always have to work with applicants to address the specific situations and he does not support adopting the minimum TDLR standards across the board. He said the District was established to protect the aquifer and where it is reasonable we can establish standards that are more stringent than the minimum standards.

General Counsel Embrey suggested that, with the comments being made today he thinks the proposed rule revisions need more work and he recommended that the Rules Committee continue to work on this and come back in June with proposed language. After further discussion Director Scadden said he was personally not ready to abandon trying to establish proposed rule changes today. General Counsel Embrey said he wanted to be clear that the proposed language that he and Attorney Ruiz prepared comes very strongly from the TDLR rules. He said the initial distance of 100 ft. is different but the language allowing wells to be placed closer to property lines is coming directly from TDLR rules. Director Hunt said he was good with proposed rule language with the addition of mentioning setbacks from contamination sources like septic tanks and septic fields with similar alternative setbacks to the property line setbacks if the District's requirements are stricter than TDLR. He reiterated that he would like to add Mr. Cockrell's proposed language allowing hydrogeologic studies to be used to justify relaxation of the well spacing requirements. Director Scadden said he agreed with Director Hunt and he was ready to move forward and if we need to tweak some wording we can do that between now and when the rule changes are adopted. Directors Davis, Hennings, and Urie all said they agreed with Directors Hunt and Scadden. Director Dower said he felt that the proposed language accomplished what we set out to do, but he still feels the Board needs to be able to explain why the initial setback requirement was set to 100 ft. Mr. Holland suggested that the title of section A. should be changed from "Spacing Requirements" to "Spacing Requirements from Property Lines" since section B. provided Spacing Requirements from Contamination Sources.

General Counsel Embrey asked if it was the desire of the Board to add Mr. Cockrell's proposed language regarding aquifer tests, and Director Hunts additional column in the table and language regarding septic system setbacks before this is posted to the public? Director Dower commented that he felt the issue of setbacks from septic systems is addressed in section B. Director Hunt agreed that if it is adequately addressed in another section, it does not need to be added here. He questioned Mr. Holland's suggestion for changing the title of section A. since separation between wells is included in section A and Mr. Holland agreed that we may have to add that into the title.



Director Hunt reiterated that he felt language regarding the possible use of aquifer test results should be acknowledged as a possible basis for well spacing requirements reduction. Christy Laughlin commented that she thought using aquifer test results to allow smaller minimum spacing, and to quantify the spacing, is an excellent idea. General Counsel Embrey said that he liked the language proposed by Mr. Cockrell, even though he is generally opposed to variances, because it is a science-based approach.

On a motion by Director Hunt and a second by director Hennings, the Board approved adopting the rules changes regarding setbacks as written with the addition of a reference to aquifer testing regarding the minimum distance between wells in the same management zone – 6 Ayes to 0 Nays

Director Dower asked about the other two potential rules changes that were discussed at previous meetings, the Domestic Use definition and Operating permit requirements for small businesses. Director Scadden said he recalled that the Board gave direction to staff as a matter of policy that Domestic Use applies when the majority of the water from a well is used for domestic purposes even if there is a commercial use of the property and that the staff has asked for more time to see how the small business operating permit situation plays out. Director Dower agreed but said he felt the Domestic Use definition issue was such a simple fix that it could be addressed in this rule change process. General Counsel Embrey said that would be his recommendation that it should be formally addressed with a Rule change as soon as possible. Director Scadden then asked Director Dower to review proposed changes to the Domestic Use definition. Director Dower said the last sentence in the definition "Domestic Use does not include groundwater used to support activities for which consideration is given or received, or for which the product of the activity is sold" is the problem. He asked if there was a reason for that sentence. Director Scadden replied with an example of a person with a commercial orchard producing fruit or nuts and using a bunch of water from the same well they use for their home. We would not consider that Domestic Use. Director Dower reviewed three proposed revisions including only having it apply to usage of more than one million gallons per year, having it apply only if the commercial use was the primary use of the property, or deleting the last sentence entirely. After further discussion it was agreed to add "if that commercial use is the primary use of the groundwater.", adding the words "rental property; home offices" to the list of domestic uses, and adding the word "non-commercial" ahead of gardens or orchards.

On a motion by Director Dower and a second by director Hunt, the Board approved adopting the Rules changes regarding the definition of "Domestic Use" as written with the addition of the words "if that commercial use is the primary use of the groundwater." To the end of the last sentence, adding the words "rental property; home offices" to the list of domestic uses, and adding the word "non-commercial" ahead of gardens or orchards – 6 Ayes to 0 Nays

Item 11. The Board may go into Executive Session to consult with Attorneys and discuss personnel matters related to staffing including but not limited to the staffing provided by existing Consultant contracts. This discussion may include the General Manager. The Executive Session will be for discussion only and any Board decisions will be made in the Open Meeting was now taken up out of order.



Director Scadden adjourned the open meeting at 10:49 AM and the Board went into Executive Session for consultation with General Counsel.

Director Scadden called the open meeting back in order at 11:33, confirmed a quorum was present, and said the Board would next take up Item 12. on the agenda.

# Item <u>12</u>. Discuss and possibly act on matters related to the Lane Cockrell consulting contract with the SWTCGCD was now taken up out of order

Director Dower reminded the Board that a Search Committee consisting of himself, Directors Van Ackeren and Hennings, and Mr. Golde, and he said the Search Committee is recommending that the Board appoint Mr. Lane Cockrell to the position of Interim General Manager. He said that a contract has been drafted and sent out to the Board members and that the committee and Mr. Cockrell agreed on it except for the compensation rate. Director Dower explained that the committee had set \$35 per hour in the job posting and Mr. Cockrell requested \$40 per hour. He said the Committee is prepared to offer \$37.50 per hour to Mr. Cockrell and the Board has agreed. He said he hoped that would be acceptable to Mr. Cockrell. Director Dower said he would make a motion to authorize the contract at \$37.50 after final review by General Counsel. Director Scadden asked Mr. Cockrell if he had anything he wanted to add, and Mr. Cockrell said he just wanted to thank the Board and General Manager Sawin for the confidence expressed in him and that he was grateful and excited for this opportunity.

On a motion by Director Dower and a second by Director Hennings, the Board approved the contract with Mr. Lane Cockrell for the position of Interim General Manager of the SWTCGCD at an hourly compensation rate of \$37.50 – 6 Ayes to 0 Nays

# Item <u>13. Discuss and possibly act on matters related to the Kodi Sawin consulting contract with the SWTCGCD</u> was now taken up out of order

Director Dower advised that Ms. Sawin has agreed to continue on a standby basis to assist Mr. Cockrell as needed which requires us to amend her contract to change the scope of services. He reviewed the proposed contract amendment, which had been sent to the Board earlier, saying that there are three items:

- 1. Changing her title from General Manager to General Consultant
- 2. She will provide general management services as requested by the General Manager
- 3. She will perform any other duties that are requested by the Board

Director Dower said a fourth item was added during the executive session:

4. Monthly billings shall be limited to 20 hours total each month unless additional hours are approved by the Board President

He said he hoped these changes are agreeable to Ms. Sawin and he would make a motion to approve these changes to the Sawin Group contract. Ms. Sawin said that she was agreeable to the proposed changes. A discussion ensued regarding whether the contract would still be



ultimately limited to 60 hours per month and the starting date for Mr. Cockrell as General Manager and these changes to the Sawin Group contract which should be synchronized. It was agreed the 60 hours per month would not be exceeded and the effective date for the changes to go into effect would be May 15<sup>th</sup>.

On a motion by Director Dower and a second by Director Davis, the Board approved the proposed Sawin Group contract changes with the addition of a fourth item which is a billing limit of 20 hours per month without approval of the Board President – 6 Ayes to 0 Nays

Director Scadden thanked Ms. Sawin for all her hard work getting the SWTCGCD to where we are today.

# Item <u>10. Discuss and possibly act on matters related to the staffing and management for the</u> SWTCGCD was now taken up out of order

Director Scadden opined as Mr. Cockrell is working to establish himself as General Manager, he might need extra support on Rules issues. He said he wanted to make Mr. Holland available to assist. Mr. Cockrell said that he did not anticipate needing Mr. Holland's assistance on a regular basis but occasionally via email. Director Scadden said Mr. Holland is agreeable to that and he advised that the second phase of Mr. Holland's contract needs to be approved from May 15<sup>th</sup> through the end of September. Director Hennings asked if there would be a maximum number of hours for this contract and it was generally agreed that would be a good idea. Director Davis suggested a 10-hour per month limit without Board President approval. Director Scadden asked that limit be tracked as a matter of Board policy by Mr. Cockrell and Mr. Holland. Director Dower said the District needs to move away from using consultants and he was opposed to approving Phase 2 of Mr. Holland's contract.

On a motion by Director Scadden and a second by Director Urie, the Board approved extending Mr. Holland's contract from May 15, 2021 to the end of September 2021 with a billing limit of 10 hours per month without approval of the Board President – 5 Ayes to 1 Nay (Director Dower Opposed)

# Item <u>9. Discuss and possibly act on matters related to the SWTCGCD Annual Budget</u> was now taken up out of order

Director Scadden said he had a conference call Friday morning with Travis County Commissioner Howard about the history and importance of Travis County funding to the District. He sent a written letter funding request for \$150,000 on Friday. He said Commissioner Howard's Chief of Staff checked and confirmed that the Travis County budget has a line item in it for the District. He said he also discussed with Commissioned Howard the possibility of a multi-year commitment from Travis County in the future to help the District with financial planning.

#### 3. Discuss, consider, and possibly act on approving the previous meeting minutes

March 10, 2021 Minutes March 31, 2021 Minutes



Director Scadden asked if there were any comments or questions on the minutes presented for approval and there were no comments or questions from the Directors.

On a motion by Director Hennings and a second by Director Dower, the Board approved the minutes from the March 10, 2021 and March 31, 2021 meetings – 6 Ayes to 0 Nays

A copy of the Minutes for March 10, 2021 and March 31, 2021 are attached as Exhibit A

#### 4. General Manager's Report

General Manager Sawin went on to cover the rest of the items in the GM Report:

- Stakeholder communication and public inquiries
- Application and registration inquiries and status
- Drought stage status and outlook
- Regulatory Items and Updates
  - TWDB
  - TCEQ
  - GMA 9
  - Others
- Other Items of Interest not requiring Board action

#### 5. Receive, discuss, and take action as necessary for Board Committee Reports.

a. Finance – Director Urie asked Mr. Golde to present the Financial Report. Mr. Golde noted on the Balance Sheet that all three Director loans have been paid back and the Equity in both accounts is positive. On the Profit & Loss Statement Mr. Golde pointed out that there was a significant amount of new fee revenue into the General Fund and the Net Income for both Funds is positive. Mr. Golde explained the Travis County Tracking Spreadsheet which has been added to the Financial Report. Mr. Cockrell advised that he would be spending a significant portion of the Groundwater Monitoring Equipment budget in the near future. Director Scadden said the District is in the best financial condition it has ever been, we have all of our bills paid and we have turned the corner.

#### A copy of the April Financial Report is attached as Exhibit B

b. Legislative – Director Davis said she is still following Chairman Perry's bill SB 152 which has passed the Senate and passed in the House. She asked General Counsel Embrey if he had any more details and he responded the bill has been sent to the local and consent calendar. He said the big issue on that bill is the recovery of attorney's fees by districts if they win. General Counsel Embrey also said that it doesn't look like the Legislature is inclined to continue to allow districts to meet virtually.



- c. Science-Outreach Director Hennings said there is going to be a National Night Out event in West Lake Hills on Tuesday October 5<sup>th</sup> and they are going to contact her about getting a slot again and she asked the Board to think about it. Director Hunt advised that UT-BEG has approved the ILA with Travis County for the Hamilton Pool Rimers Ranch Study and work on the study has been kicked off.
- d. Director Dower said that there were 333 visits to the District website.
- 6. Discuss and possibly act on matters related to implementing District Rules, including review of possible future Rules changes.

This item was taken up earlier in the meeting, out of order

7. Discuss and possibly act on matters related to bookkeeping and hiring an auditor.

Director Davis advised the Board that she has contacted Mr. Neffendorf and advised him that the funding had been approved and we need to get a contract executed and start the audit.

8. Discuss, and possibly act on matters related to Groundwater Management Area 9, including setting a public hearing to receive Public Comments on Proposed Desired Future Conditions

Director Scadden said he sent an email to Ron Fieseler at GMA 9 asking to withdraw the District's request for relief from paying our share of the Desired Future Conditions (DFCs) Study and asking the GMA 9 to send us an invoice for what the District owes for that study which they did and we have paid.

Ms. Sawin advised that GMA 9 has adopted DFCs for the Trinity Aquifer and we need to set a public hearing to receive public comments on those DFCs and she recommended setting the public hearing during the June 9th District Board meeting.

On a motion by Director Hennings and a second by Director Davis, the Board approved setting a public hearing to receive comments on the GMA 9 Desired Future Conditions on June  $9^{th}$  during the regular District Board meeting -6 Ayes to 0 Nays

Director Dower asked if a motion is required to set a public hearing for the proposed Rules Changes? General Counsel Embrey replied be yes.

On a motion by Director Dower and a second by Director Davis, the Board approved setting a public hearing to receive comments on the proposed District Rules changes on June  $9^{th}$  during the regular District Board meeting -6 Ayes to 0 Nays

9. Discuss, and possibly act on matters related to the SWTCGCD Annual Budget

This item was taken up earlier in the meeting, out of order



10. Discuss and possibly act on matters related to the staffing and management for the SWTCGCD.

This item was taken up earlier in the meeting, out of order

11. The Board may go into Executive Session to consult with Attorneys and discuss personnel matters related to staffing including but not limited to the staffing provided by existing Consultant contracts. This discussion may include the General Manager. The Executive Session will be for discussion only and any Board decisions will be made in the Open Meeting

This item was taken up earlier in the meeting, out of order

12. Discuss and possibly act on matters related to the Lane Cockrell consulting contract with the SWTCGCD

This item was taken up earlier in the meeting, out of order

13. Discuss and possibly act on matters related to the Kodi Sawin consulting contract with the SWTCGCD

This item was taken up earlier in the meeting, out of order

- 14. Discuss and possibly act on agenda items for future Board meetings.
  - Audit Firm Selection
  - Public Hearings
  - Small well operating permit rules
- 15. Discuss and possibly act on setting the date, time, and location for next Board meeting

The next Monthly Board meeting was set for June 9, 2021 at 9:00 AM, remote access only.

16. Adjourn

On a motion by Director Davis and a second by Director Dower, the Board voted to adjourn the meeting – 6 Ayes to 0 Nays. The meeting was adjourned at 12:53 PM.

| PASSED, APPROVED AND ADOPTED THIS 11 <sup>th</sup> day of August 2021. |  |
|------------------------------------------------------------------------|--|
|                                                                        |  |
| Tim Van Ackeren, Secretary                                             |  |



## **Exhibit A**

Minutes for March 10, 2021 and March 31, 2021



## **Exhibit B**

Financial Report

Balance Sheet As of May 7, 2021

|                                  | GENERAL FUND | T.C. ESCROW FUND | TOTAL       |
|----------------------------------|--------------|------------------|-------------|
| ASSETS                           |              |                  |             |
| Current Assets                   |              |                  |             |
| Bank Accounts                    |              |                  |             |
| General Fund Checking (3546)     | 8,776.43     |                  | \$8,776.43  |
| T.C. Escrow Fund Checking (4755) |              | 13,639.16        | \$13,639.16 |
| Total Bank Accounts              | \$8,776.43   | \$13,639.16      | \$22,415.59 |
| Total Current Assets             | \$8,776.43   | \$13,639.16      | \$22,415.59 |
| TOTAL ASSETS                     | \$8,776.43   | \$13,639.16      | \$22,415.59 |
| LIABILITIES AND EQUITY           |              |                  |             |
| Liabilities                      |              |                  |             |
| Current Liabilities              |              |                  |             |
| Other Current Liabilities        |              |                  |             |
| Dower Loan                       | 0.00         |                  | \$0.00      |
| Scadden Loan                     | 0.00         |                  | \$0.00      |
| Van Ackeren Loan                 | 0.00         |                  | \$0.00      |
| Total Other Current Liabilities  | \$0.00       | \$0.00           | \$0.00      |
| Total Current Liabilities        | \$0.00       | \$0.00           | \$0.00      |
| Total Liabilities                | \$0.00       | \$0.00           | \$0.00      |
| Equity                           |              |                  |             |
| Retained Earnings                | 1,862.05     |                  | \$1,862.05  |
| Net Income                       | 6,914.38     | 13,639.16        | \$20,553.54 |
| Total Equity                     | \$8,776.43   | \$13,639.16      | \$22,415.59 |
| TOTAL LIABILITIES AND EQUITY     | \$8,776.43   | \$13,639.16      | \$22,415.59 |

Profit and Loss by Division October 1, 2020 - May 7, 2021

|                                                           | GENERAL FUND | T.C. ESCROW FUND | TOTAL        |
|-----------------------------------------------------------|--------------|------------------|--------------|
| Income                                                    |              |                  |              |
| Income from Travis County ILA 2 (OPS)                     |              | 76,855.19        | \$76,855.19  |
| Income from Travis County ILA1                            | 34,631.60    |                  | \$34,631.60  |
| Interest Income                                           | 2.23         | 2.24             | \$4.47       |
| Misc. Income                                              |              | 1.00             | \$1.00       |
| Non-Exempt General Permit Well Construction Fee           | 1,500.00     |                  | \$1,500.00   |
| Non-Exempt Operating Permit Well Construction Fee         | 4,000.00     |                  | \$4,000.00   |
| Production Authorization Application Fee (new wells)      | 2,400.00     |                  | \$2,400.00   |
| Production Authorization Application Fee (existing Wells) | 16,150.00    |                  | \$16,150.00  |
| Water Utility Service Connection Fee                      | 5,000.00     |                  | \$5,000.00   |
| WDA Application Fee                                       | 19,100.00    |                  | \$19,100.00  |
| Well Capping/Plugging Fee                                 | 600.00       |                  | \$600.00     |
| Total Income                                              | \$83,383.83  | \$76,858.43      | \$160,242.26 |
| GROSS PROFIT                                              | \$83,383.83  | \$76,858.43      | \$160,242.26 |
| Expenses                                                  |              |                  |              |
| Contract and Professional Services                        |              |                  | \$0.00       |
| Legal Services                                            | 24,534.00    | 20,833.00        | \$45,367.00  |
| Professional Services                                     | 7,900.00     |                  | \$7,900.00   |
| Total Contract and Professional Services                  | 32,434.00    | 20,833.00        | \$53,267.00  |
| Office and Administrative Expenses                        |              |                  | \$0.00       |
| Computer Equipment, Software, and Web Services            | 1,675.87     |                  | \$1,675.87   |
| Office Rent                                               | 1.00         |                  | \$1.00       |
| Office Supplies                                           | 380.46       |                  | \$380.46     |
| PO Box                                                    | 188.00       |                  | \$188.00     |
| Public Relations/Advertising/Public Notices/Signs         | 673.73       |                  | \$673.73     |
| Telephone/Internet                                        | 492.06       |                  | \$492.06     |
| Total Office and Administrative Expenses                  | 3,411.12     |                  | \$3,411.12   |
| Personnel Expenses                                        |              |                  | \$0.00       |
| Errors and Omissions Insurance                            | 838.70       |                  | \$838.70     |
| General Manager                                           | 29,221.00    | 25,500.00        | \$54,721.00  |
| Groundwater Technician                                    | 7,061.28     |                  | \$7,061.28   |
| General Tech Support                                      |              | 1,536.38         | \$1,536.38   |
| Groundwater Monitoring                                    |              | 984.24           | \$984.24     |
| Permit Processing                                         |              | 14,365.65        | \$14,365.65  |
| Total Groundwater Technician                              | 7,061.28     | 16,886.27        | \$23,947.55  |
| Professional Development/Licensing/Cont. Edu.             | 1,080.00     |                  | \$1,080.00   |
| Public Officials and Staff Bonding                        | 280.00       |                  | \$280.00     |
| Total Personnel Expenses                                  | 38,480.98    | 42,386.27        | \$80,867.25  |
| Technical Operations Expenses                             |              |                  | \$0.00       |
| Groundwater Research Studies/Projects                     |              |                  | \$0.00       |
| GMA 9 Studies/Report Preparation                          | 2,143.35     |                  | \$2,143.35   |
| Total Groundwater Research Studies/Projects               | 2,143.35     |                  | \$2,143.35   |

Profit and Loss by Division October 1, 2020 - May 7, 2021

|                                     | GENERAL FUND | T.C. ESCROW FUND | TOTAL        |
|-------------------------------------|--------------|------------------|--------------|
| Total Technical Operations Expenses | 2,143.35     |                  | \$2,143.35   |
| Total Expenses                      | \$76,469.45  | \$63,219.27      | \$139,688.72 |
| NET OPERATING INCOME                | \$6,914.38   | \$13,639.16      | \$20,553.54  |
| NET INCOME                          | \$6,914.38   | \$13,639.16      | \$20,553.54  |

### Check Detail April 9 - May 7, 2021

| DATE              | TRANSACTION TYPE            | NUM  | NAME                                                  | MEMO/DESCRIPTION                               | CLR | AMOUNT                 |
|-------------------|-----------------------------|------|-------------------------------------------------------|------------------------------------------------|-----|------------------------|
| General Fund      | Checking (3546)             |      |                                                       |                                                |     |                        |
| 04/19/2021        | Expense                     |      | Spectrum (Internet)                                   | DBT CRD 0725 04/19/21 627281 SPECTRUM 85       |     | -127.01                |
|                   |                             |      |                                                       | DEBIT DBT CRD 0725 04/19/21 627281 SPECTRUM 85 |     | 127.01                 |
| 04/21/2021        | Bill Payment (Check)        | 1006 | Spicewood Utility Services                            |                                                |     | -750.00                |
|                   |                             |      |                                                       |                                                |     | -750.00                |
| 04/21/2021        | Bill Payment (Check)        | 1007 | Bandera County River Authority & Groundwater District |                                                |     | -2,143.35              |
|                   | .,                          |      | ,                                                     |                                                |     | -2,143.35              |
| 04/00/0001        | Charle                      | 1000 | line Davier                                           |                                                |     | 0.000.00               |
| 04/30/2021        | Crieck                      | 1008 | Jim Dower                                             | Repayment of 11/03/2020 loan                   |     | -3,000.00<br>-3,000.00 |
|                   |                             |      |                                                       | , ,                                            |     |                        |
| 05/01/2021        | Check                       | 1009 | Rick Scadden                                          | Repayment of 10/29/2020 Loan                   | С   | -3,000.00              |
|                   |                             |      |                                                       | Repayment of 10/29/2020 Loan                   |     | -3,000.00              |
| 05/01/2021        | Check                       | 1010 | Tim Van Ackeren                                       | Repayment of 10/29/2020 Loan                   | С   | -3,000.00              |
|                   |                             |      |                                                       | Repayment of 10/29/2020 Loan                   |     | -3,000.00              |
| T.C. Escrow I     | Fund Checking (4755)        |      |                                                       |                                                |     |                        |
|                   |                             | 1007 | Sawin Group                                           |                                                | С   | -6,000.00              |
|                   |                             |      |                                                       |                                                |     | -6,000.00              |
| 04/09/2021        | Bill Payment (Check)        | 1008 | Lane Cockrell                                         |                                                | С   | -1,693.33              |
|                   |                             |      |                                                       |                                                |     | -1,693.33              |
| 04/21/2021        | Bill Payment (Check)        | 1009 | Lane Cockrell                                         |                                                | С   | -2,391.25              |
| 0 ., = ., = 0 = . | Ziii i ayiii an (Gireen)    |      |                                                       |                                                |     | -2,391.25              |
| 04/04/0004        | Dill Day was and (Ob a als) | 1010 | Winning Coulds                                        |                                                | 0   | 000.50                 |
| 04/21/2021        | Bill Payment (Check)        | 1010 | virginia Smith                                        |                                                | С   | -662.50<br>-662.50     |
|                   |                             |      |                                                       |                                                |     |                        |
| 04/30/2021        | Bill Payment (Check)        | 1011 | Lloyd Gosselink                                       |                                                |     | -2,717.00              |
|                   |                             |      |                                                       |                                                |     | -2,717.00              |
| 05/01/2021        | Bill Payment (Check)        | 1012 | Sawin Group                                           | Invoice I-42020-22                             |     | -6,000.00              |
|                   |                             |      |                                                       |                                                |     | -6,000.00              |
|                   |                             |      |                                                       |                                                |     |                        |
|                   |                             |      |                                                       |                                                |     |                        |

### Expenses by Vendor Summary October 1, 2020 - May 7, 2021

|                                                       | GENERAL FUND | T.C. ESCROW FUND | TOTAL        |
|-------------------------------------------------------|--------------|------------------|--------------|
| Austin American Statesman                             | 475.68       |                  | \$475.68     |
| Bandera County River Authority & Groundwater District | 2,143.35     |                  | \$2,143.35   |
| GoDaddy.com                                           | 1,587.11     |                  | \$1,587.11   |
| Holland Groundwater Management Consultants LLC        | 7,900.00     |                  | \$7,900.00   |
| Lane Cockrell                                         | 7,061.28     | 16,223.77        | \$23,285.05  |
| Lloyd Gosselink                                       | 24,534.00    | 20,833.00        | \$45,367.00  |
| Sawin Group                                           | 29,601.46    | 25,500.00        | \$55,101.46  |
| Spectrum (Internet)                                   | 619.07       |                  | \$619.07     |
| Spicewood Utility Services                            | 750.00       |                  | \$750.00     |
| TAGD                                                  | 1,080.00     |                  | \$1,080.00   |
| TML                                                   | 838.70       |                  | \$838.70     |
| Travis County (Vendor)                                | 1.00         |                  | \$1.00       |
| US Postal Service                                     | 188.00       |                  | \$188.00     |
| Victor O. Schinne                                     | 280.00       |                  | \$280.00     |
| Virginia Smith                                        |              | 662.50           | \$662.50     |
| ZOOM                                                  | 159.80       |                  | \$159.80     |
| TOTAL                                                 | \$77,219.45  | \$63,219.27      | \$140,438.72 |

### Unpaid Bills All Dates

| DATE               | TRANSACTION TYPE | NUM         | DIVISION         | DUE DATE   | PAST DUE | AMOUNT     | OPEN BALANCE |
|--------------------|------------------|-------------|------------------|------------|----------|------------|--------------|
| Lane Cockrell      |                  |             |                  |            |          |            |              |
| 05/03/2021         | Bill             | LC-20210503 | T.C. Escrow Fund | 05/18/2021 | -10      | 2,613.33   | 2,613.33     |
| Total for Lane Co  | ockrell          |             |                  |            |          | \$2,613.33 | \$2,613.33   |
| Virginia Smith     |                  |             |                  |            |          |            |              |
| 05/03/2021         | Bill             | VS-20210503 | T.C. Escrow Fund | 05/18/2021 | -10      | 550.00     | 550.00       |
| Total for Virginia | Smith            |             |                  |            |          | \$550.00   | \$550.00     |
| TOTAL              |                  |             |                  |            |          | \$3,163.33 | \$3,163.33   |

October 1, 2020 - September 30, 2021

|       |                                                                 | FY 2021 Budget | <b>Actual 5-7-21</b> | %      |
|-------|-----------------------------------------------------------------|----------------|----------------------|--------|
|       | Category/Description                                            |                |                      |        |
|       | WDA Application Fee                                             | \$15,000       | \$19,100.00          | 127.39 |
|       | Non Exempt Operating Permit Well Construction Fee               | \$5,000        | \$4,000.00           | 80.0%  |
|       | Non Exempt General Permit Well Construction Fee                 | \$12,500       | \$1,500.00           | 12.0%  |
|       | Permit Renewal Application Fees                                 | \$0            | \$0.00               | N/A    |
|       | Water Utility Service Connection Fee                            | \$90,000       | \$5,000.00           | 5.6%   |
|       | Production Fee                                                  | \$33,436       | \$0.00               | 0.0%   |
|       | Production Authorization Application Fee (previously installed) | \$132,450      | \$16,150.00          | 12.29  |
|       | Production Authorization Application Fee (new wells)            | \$13,750       | \$2,400.00           | 17.5%  |
|       | Well Capping/Plugging Fee                                       | \$1,000        | \$600.00             | 60.0%  |
|       | Interest Income                                                 | \$100          | \$4.47               | 4.5%   |
|       | Misc. Income (Administrative Fees)                              | \$250          | \$1.00               | 0.4%   |
|       | Funding from Travis County (1)                                  | \$0            | \$0.00               | N/A    |
|       | Funding from Travis County (2) ILA                              | \$8,500        | \$34,631.60          | 407.49 |
|       | Funding from Travis County (3)                                  | \$100,000      | \$75,870.95          | 75.9%  |
|       | Funding from Travis County (4)                                  | \$50,000       | \$984.24             | 2.0%   |
|       | Enforcement Penalty Income                                      | \$0            | \$0.00               | N/A    |
|       | Technical Projects Cost Sharing Reimbursements                  | \$0            | \$0.00               | N/A    |
| Total | Projected Revenues                                              | \$461,986      | \$160,242.26         | 34.7%  |
|       |                                                                 |                |                      |        |
| Ехр   | enses                                                           |                |                      |        |
|       | Outstanding Obligations                                         | \$0            |                      | N/A    |
|       | Personnel Expenses                                              | \$173,175      | \$80,867.25          | 46.7%  |
|       | Vehicle Expenses                                                | \$4,000        | \$0.00               | 0.0%   |
|       | Contract/Professional Services                                  | \$140,700      | \$53,267.00          | 37.9%  |
|       | Office and Administrative Expenses                              | \$62,801       | \$3,411.12           | 5.4%   |
|       | Technical Operations Expenses                                   | \$69,025       | \$3,127.59           | 4.5%   |
|       | Reserve Funds                                                   | \$12,285       | \$0.00               | 0.0%   |
| Total | Projected Expenses                                              | \$461,986      | \$140,672.96         | 30.49  |